

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION	
THIS DOCUMENT RELATES TO: <i>The City of New York v. Abbott Laboratories, Inc., et al.</i>	MDL NO. 1456 Civil Action No. 01-12257-PBS Subcategory No. 03-10643-PBS Judge Patti B. Saris

**STIPULATION OF VOLUNTARY DISMISSAL OF PLAINTIFFS' CLAIMS
AGAINST DEFENDANT BIOGEN IDEC INC.**

IT IS HEREBY STIPULATED AND AGREED, by and between plaintiffs, the Consolidated New York Counties, and defendant Biogen Idec Inc. ("Biogen"), by and through their respective attorneys, pursuant to Fed. R. Civ. P. 41 and the terms of the Settlement Agreement between the Consolidated New York Counties and Biogen, that all claims in this action against Biogen are dismissed with prejudice and without costs to any party. A Proposed Order is attached.

Dated: October 26, 2010

STIPULATED AND AGREED TO BY:

/s/ Joanne M. Cicala
Joanne M. Cicala, Esq.
Daniel Hume, Esq.
Kirby McInerney LLP
825 Third Avenue
New York, NY 10022
(212) 371-6600

On Behalf of Plaintiffs the Consolidated
New York Counties

/s/ William A. Davis
William A. Davis, Esq.
Mintz, Levin, Cohn, Ferris,
Glovsky and Popeo, P.C.
701 Pennsylvania Avenue, Suite 900
Washington, DC 20004
(202) 434-7300

On Behalf of Defendant Biogen Idec Inc.

CERTIFICATE OF SERVICE

I, William A. Davis, hereby certify that on October 26, 2010, I caused a true and correct copy of the foregoing to be served on all counsel of record today via the Court's Electronic Case Filing System and via LexisNexis File & Serve.

/s/ William A. Davis
William A. Davis

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**[PROPOSED] ORDER OF DISMISSAL OF PLAINTIFFS' CLAIMS AGAINST
DEFENDANT BIOGEN IDEC INC.**

The Stipulation of Voluntary Dismissal is hereby GRANTED. All claims in this action against Defendant Biogen Idec Inc. hereby are dismissed with prejudice and without costs to any party.

IT IS SO ORDERED.

Dated: _____, 2010

The Honorable Patti B. Saris
United States District Court Judge